

16

**FIRST AMENDMENT  
SANTA CLARA VALLEY TRANSPORTATION AUTHORITY  
CONGESTION MANAGEMENT PROGRAM  
TRANSPORTATION FUND FOR CLEAN AIR  
AGREEMENT  
FY 2003/2004**

The Agreement for the transfer of funds made available from the TFCA 40% Program for FY 2003/2004 between the Santa Clara Valley Transportation Authority (VTA) and City of Milpitas (Sponsor) is amended as follows:

1. Section 1. Description Of Projects, Grant Amount And Monitoring Requirements is hereby amended to read as follows:

Sponsor agrees to implement and complete the Class 1 Bicycle Path: Coyote Creek Trail Project described in the project summary in Attachment A, which is attached hereto and incorporated herein, in consideration of a TFCA grant in an amount not to exceed \$190,475 (does not include local matching funds) furnished by VTA to Sponsor as provided herein. Sponsor shall comply with the project schedule and monitoring requirements described in Attachment A of the original agreement.

2. All other terms, covenants and conditions of the Agreement remain in full force and effect.

In Witness Whereof, the Parties to the Agreement have executed this amendment as of the latest date shown below.

City of Milpitas  
(Sponsor)

Santa Clara Valley Transportation Authority  
(VTA)

Dated: \_\_\_\_\_

Dated: 4/28/06

\_\_\_\_\_  
Charles Lawson, City Manager

Michael T. Burns  
Michael T. Burns, General Manager

Approved As To Form:

Approved As To Form:

\_\_\_\_\_  
Steven T. Mattas, City Attorney

Suzanne Gifford  
Suzanne Gifford, Counsel 4-25-06

## City of Milpitas, California

Budget # \_\_\_\_\_  
Refer # \_\_\_\_\_**BUDGET CHANGE FORM**

Type of Change	From		To	
	Account	Amount	Account	Amount
Check one:				
<input checked="" type="checkbox"/> Budget Appropriation	311-9514206153564	\$95,475	311-951420674800	\$95,475
<input type="checkbox"/> Budget Transfer				

**Explain the reason for the budget change:**

Coyote Creek Trail, Reach 1 is included in the current Capital Improvement Program. The project provides a pedestrian and bicycle trail along the east bank of Coyote Creek, that extends from North McCarthy Boulevard at Coyote Creek to the south side of Ranch Drive. The project received funding from a variety of outside grants, including a \$95,000 Transportation Fund for Clean Air (TFCA) grant administered by the Santa Clara Valley Transportation Authority (VTA). TFCA grants are awarded to projects that result in a clean air benefit.

Upon closeout of the reimbursement process for Project 4213, TFCA funds in the amount of \$95,475 remained unspent. VTA has endorsed transferring the unspent \$95,475 to Coyote Creek Trail Reach 1, Project 4206, and secured approval to do so. Coyote Creek Trail is proven eligible to receive additional TFCA funding, and is an active project within VTA's approved Bicycle Expenditure Program.

Staff recommends that the City Manager be authorized to execute an amendment to the existing TFCA Funding Agreement between VTA and the City. The amendment will authorize the City to accept a grant increase of \$95,475 for Coyote Creek Trail, Reach 1, which will bring the new TFCA funding total for this project to \$190,475. Funding will be used to reimburse the City for expenses incurred to implement the project.

Approve transfer of \$95,475 grant funding from TFCA, to Project 4206, Coyote Creek Trail, Reach 1 for implement the project.

☒ Check if City Council Approval required.

Meeting Date: May 16, 2006

Itemization of funds, if needed:			Amount
Requested by:			
Division Head:			Date:
Department Head:			Date:
Reviewed by:	Finance Director: <i>Mr. C. Karl</i>		Date: 5/10/06
Approved by:	City Manager:		Date:
Date approved by City Council, if required:			Confirmed by: